

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR., and ROSLYN)
WOODARD SMITH, individually and as)
Administrators of the ESTATE OF HARRY)
SMITH, III)

Plaintiffs,)

v.)

C.A. No. 04-1254-GMS

CITY OF WILMINGTON, JOHN)
CIRITELLA, THOMAS DEMPSEY and)
MATTHEW KURTEN,)

Defendants.)

NOTICE OF DEPOSITION OF HARRY SMITH, JR.

TO: Kester I.H. Crosse, Esquire
Williams & Crosse
1214 King Street, Suite 300
Wilmington, DE 19801

Anne T. Sulton, Esquire
Post Office Box 2763
Olympia, WA 98507

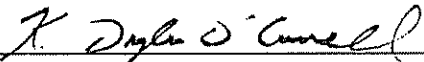
PLEASE TAKE NOTICE that the Defendants will take the deposition upon oral examination of Harry Smith, Jr. pursuant to Federal Rule of Civil Procedure 30 at the offices of Richards Layton & Finger, 920 North King Street, Wilmington, Delaware 19801, on Tuesday, May 30, 2006 at 10:00 A.M.

The deposition testimony will be recorded stenographically. You are invited to attend and examine the witness.

OF COUNSEL:

Rosamaria Tassone
City of Wilmington Law Department
City/County Building, 9th Floor
800 N. French Street
Wilmington, Delaware 19801
302-576-2175

Dated: May 12, 2006



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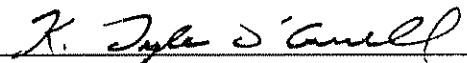
CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Kester I.H. Crosse, Esquire
Williams & Crosse
1214 King Street
Suite 300
Wilmington, DE 19801

I hereby certify that on May 12, 2006, I have sent by U.S. Regular Mail, the foregoing document to the following non-registered participants:

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